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SENSITIVE
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TAGS: PREL PREF PHUM IS AF SU EG

SUBJECT: ISRAELI NGOS FRUSTRATED WITH CURRENT ASYLUM SYSTEM

REF: TEL AVIV 891 - NOTAL

THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED - PLEASE TREAT ACCORDINGLY.

¶1. (SBU) Summary. At an April 6-7 Tel Aviv University Conference on "Designing an Asylum System in Israel," Israeli human rights advocacy NGOs expressed dissatisfaction with the existing asylum system, describing it as biased and lacking transparency. The NGOs also are disappointed with the absence of government assistance for the growing number of African asylum-seekers in the country. UNHCR plans to mobilize emergency funding to support medical care, psycho-social counseling, legal aid, and shelters for this population. End Summary

Visit of PRM DAS Ryan

¶2. (SBU) PRM Deputy Assistant Secretary Kelly Ryan and DHS Director for Asylum Joe Langlois participated in an April 6-7 conference hosted by Tel Aviv University entitled "Developing an Asylum System in Israel" and attended by academics from the U.S., Australia, Canada, and Denmark, Israeli human rights organizations and academics, and GOI officials. On April 9, DAS Ryan met with GOI officials in the Ministries of Justice, Interior and Foreign Affairs as well as with Director General of the Prime Minister's office Raanan Dinur to discuss the development of an asylum system to cope with the rising numbers of African asylum-seekers in Israel (reftel).

The Existing Asylum Process

¶3. (SBU) Over 9,000 African asylum seekers are currently registered with UNHCR in Israel with between 30 - 60 new arrivals every day. Over 95 percent arrive by land across the Israel-Egypt border; some are interdicted and detained in Ketziot prison in the Negev, others are interdicted and released due to lack of prison capacity, while others make their own way to Tel Aviv or Jerusalem. UNHCR registers all new arrivals. Thus far, UNHCR has focused its resources on conducting refugee status determinations (RSDs) for asylum-seekers of nationalities that are less likely to have refugee claims, such as the roughly 1,200 Cote d'Ivoire nationals and 400 Nigerians.

¶4. (SBU) Although Israel has not adopted enabling legislation related to the 1951 Refugee Convention, the GOI issued

regulations in 2002 "Regarding the Treatment of Asylum Seekers in Israel." According to these regulations, UNHCR will present RSDs to the National Status Granting Board (NSGB) comprised of government officials from the Ministry of Interior, Justice and Foreign Affairs. The NSGB decides whether or not to grant an applicant refugee status. The regulation prohibits UNHCR from issuing "documents recognizing the refugee status of applicants present in Israel." Israel also reserves the right not to grant a permit to enable the stay in Israel of nationals of an "enemy state."

¶15. (SBU) According to Israeli regulation, an applicant rejected by the NSGB may petition to the same body for reconsideration. If rejected again, the applicant's last opportunity for appeal is to the Minister of Interior. The regulation does not allow for an applicant to have legal representation nor the opportunity for rebuttal prior to an NSGB decision.

Israeli NGOs: Shortcomings of Current System

¶16. (SBU) In the April 6-7 Tel Aviv University Asylum Conference, Israeli human rights and advocacy NGOs expressed serious dissatisfaction with the existing asylum system. They claim that the system lacks transparency; is based on Israel's foreign policy; and fails to provide for judicial review of NSGB decisions or legal representation. When NSGB Chairperson Ofra Friedman gave a conference presentation describing two specific asylum cases that the NSGB had rejected, the Director for Hotline for Migrants Workers noted that one of the cases involved her client and that neither she nor her client had been informed of the NSGB's negative decision.

¶17. (SBU) Physicians for Human Rights (PHR) Director Ran Cohen cited problems faced by asylum-seekers in obtaining health care, education for minors and legal aid. The government, he said, has failed to provide a social safety net for this population. African Refugee Development Center (ARDC) Director Yohannes Lemma reported that the GOI had recently closed down all but one of their shelters with the promise to provide work permits to the residents. However, he said, work permits were distributed unequally and in an ad hoc manner. In many cases, the permits were given directly to an employer, thereby limiting the asylum-seekers' freedom of movement and encouraging worker exploitation. On April 11, UNHCR Representative Steven Wolfson noted that some asylum-seekers who had received permits for work in Eilat were returning to Tel Aviv after encountering poor conditions or no work opportunities.

UNHCR To Mobilize Emergency Resources

¶18. (SBU) UNHCR's Wolfson told DAS Ryan April 7 that UNHCR will mobilize emergency resources to assist roughly 10,000 asylum seekers in Israel. Wolfson reported to RefCoord April 11 that UNHCR/HQ had approved emergency funding of \$600,000 for programs while another \$600,000 in administrative funding is pending approval and would support staff salaries and the move to a new office building. If the total \$1.2 million is approved, it would bring UNHCR's 2008 budget in Israel to \$1.9 million. Wolfson also noted that a TDY UNHCR program officer is in Tel Aviv to design projects with four NGOs: ARDC for shelter support, PHR for medical care, Hotline for Migrant Workers for legal aid, and AASAF for psycho-social counseling. However, Wolfson said, UNHCR is reluctant to provide material assistance to asylum-seekers in "the 28th wealthiest country in the world."

¶19. (U) PRM DAS Kelly Ryan has cleared this message.

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JONES